

No. 455

PETITIONER

John E. Garnett

Petition filed July 7 1915

Viewers appointed 191

Report filed 191

Date of hearing 191

Report approved 191

Order of survey 12/9/15 191

Surveyor's Report filed 191

Declared County Road 2/8/16 191

See Book Commissioners' Proceedings,

pages

Recorded, Road Book, pages

County Clerk

Petition For Road

No. 455.....

To the Honorable Board of County Commissioners of Gallatin County, Montana:

Gentlemen:

We, the undersigned free holders of Road District No..... of Gallatin County, Montana, residing on or adjacent to the following proposed County Road, do hereby petition your honorable body to establish ~~same~~..... same as a County Road, beginning at.....

Commencing at the NE corner of Section 30 in Twp 1 N. of R. 1 E. to follow above the Willow Creek Irrigation Ditch to a point 80 rods east of the west line of Section 32 in Twp 1 N. of R 1 E.; then due south on said line to the large ravine on the Southwest Quarter of Sec. 5 in Twp 1 S. of R. 1 E.; thence to follow said ravine to the East Line of said Quarter; then due South to the center of Section 8- Twp 1 S. of R. 1 E; then East to the Quarter stone on the East Line of Sec. 8; thence in a southeresterly direction around a Hill on the Southwest Quarter of Section 9 in Twp 1 S. of R. 1 E, thence to the Southwest corner of Section 9; Twp 1 S. of R. 1 E.; thence South on Section line to the Southwest corner of Section 16; thence SE up a large ravine on Section 21; Twp 1 S of Rng 1 E. to the South Line of said section; thence west about 20 rods; thence south about 20 rods thence west about 20 rods; thence due South on a line 80 rods east of the West line of Sec. 28; Twp 1 S. of Rng 1 E. to South line of said section; thence east to Quarter stone on south line of Section 28; thence South to quarter stone on south line of Section 33; Twp 1 S. of R. 1 E.

We believe the cost of constructing this road will not exceed \$..... there being One steep grades, 12 culverts, bridges necessary on the route as proposed; the soil..... adapted to road construction, and

We consider this road necessary for the convenience of public travel, and especially for the residents of this district, and further for the following reasons, viz:

Names of Petitioners	Land Owned by Same to be Crossed by Proposed Road		
	Description	Sec.	Twp. Range
<u>John E. Garnett</u> <u>John S. Garnett</u>			
<u>W. B. Simons</u>			
<u>A. H. Wilson</u>			
<u>Sam Thompson</u>			
<u>Geo. O. Cook</u>			
<u>John Walker</u>			
<u>Walter C. Archer</u>			
<u>G. O. Cooper</u>			
<u>H. Middleton</u>			
<u>H. Politt</u>			
<u>C. A. Martens</u>			
<u>H. A. Martens</u>	<u>8 1/2 + 7 1/2</u>	<u>17</u>	<u>15 16</u>

For Petitioners Who Propose Donating Gratuitously the Right of Way

....., 19....

We, the undersigned, of the above petitioners, in full consideration for benefits received or to accrue to us, do hereby agree to, and by these presents do gratuitously donate to Gallatin County, Montana, a right of way through any and all lands owned by us along the line of the proposed road hereinbefore petitioned for, the route of same to be definitely determined by the Board of County Commissioners of said County, in accordance with the examination and report of viewers therefor appointed by said Board, or as viewed by the Board of County Commissioners.

The said donation to take effect and be of full force immediately (and only when) said proposed road shall be open to the public throughout its full length.

Name of Donator	Land Owned by Same to be Crossed by Proposed Road			
	Description	Sec.	Twp.	Range
Charles C. Frideman Wife	20 ft E.S. 1/2 of SE 1/4 S 18			
John E. Barnett Ludwig A. Barnett E. Barnett	50 feet x 160 Rods East side East 1/2 NW 1/4	8	1 S	1 E
F. J. Gornett W. B. Jansley Wife	25 feet x 127 Rods E Side NW 1/2 NW 1/4 20 ft along the west side of the SW 1/4 50 ft around Hill on ridge	5 9	1 S	1 E
W. H. Wilson Luis Wilson Coastal Land Co Wife	25 feet on East Side of NW 1/2 By J. S. Adams Tract 33-150-1 East	29+32	1 S	1 E
W. C. Cook Mrs. Geo. C. Cook Wife	50 ft on NW 1/4 of NW 1/4 Sec 29-1-1 NW 1/4 50 ft around NW 1/4 of NW 1/4 Sec 29-1-1 NW 1/4			
John Walbert Wife Mrs. Lizzie Walbert	25 feet on East Side of SW 1/4 of Block 32-1 N-1-6. 3/4 acre	32	1 N	1 E
J. C. Middlebrook Wife Mrs. Julia S. Middlebrook W. A. Martin Wife Mrs. Martha Martin	E 1/2 - S 1/4 NW 1/4 NW 1/4 and NW 1/4 57 1/2 x 57 1/2 the SW 1/4 - S - 1 - S - 1 - E Railway up ravine in Sec. 21 - 1 - 1 - E south line of said Sec. 21			

For Petitioners Who Propose Charging for Right of Way and Damages

Addressed

Twenty feet along the west line of the East half of the NW 1/4 Sec. 32 - 1 N - 1 E....., 19....

Name of Donator	Land Owned by Same to be Crossed by Proposed Road			
	Description	Sec.	Twp.	Range
B. Jansley Wife	Twenty feet along the west line of the east half of the NW 1/4	32	1 N	1 E
J. R. Jansley Wife Jay B. Jansley	Twenty feet along the east line of the NW 1/4 SW 1/4 32 and about half a quarter along the E line of the NW 1/4 of NW 1/4		1 N	1 E
John E. Ragdale Wife Mrs. E. Ragdale Wife	Twenty feet along the South line of the NW 1/4 Twenty feet along the East line	5 17	1 S	1 E
Abraham Lee Wife Mattie Lee	Follow west side of cross fence to buildings on SW 1/4	8	"	"

N
Wife B. Jansley
Wife J. O. Cooper
apud on Sec. 29+30 in north end and draw at south end
1/4 acre in corners and quarter of Sec. 29 to be designated by Jansley settle by arbitration

For Petitioners Who Propose Donating Gratuitously the Right of Way

....., 19....

We, the undersigned, of the above petitioners, in full consideration for benefits received or to accrue to us, do hereby agree to, and by these presents do gratuitously donate to Gallatin County, Montana, a right of way through any and all lands owned by us along the line of the proposed road hereinbefore petitioned for, the route of same to be definitely determined by the Board of County Commissioners of said County, in accordance with the examination and report of viewers therefor appointed by said Board, or as viewed by the Board of County Commissioners.

The said donation to take effect and be of full force immediately (and only when) said proposed road shall be open to the public throughout its full length.

Name of Donator	Land Owned by Same to be Crossed by Proposed Road			
	Description	Sec.	Twp.	Range

We believe the cost of constructing this road will not exceed \$..... there being steep grades, culverts, bridges necessary on the route as proposed; the soil adapted to road construction, and

We consider this road necessary for the convenience of public travel, and especially for the residents of this district, and further for the following reasons, viz:

Names of Petitioners	Land Owned by Same to be Crossed by Proposed Road			
	Description	Sec.	Twp.	Range

We, the undersigned, of the first above mentioned petitioners, on demand of the Board of County Commissioners of Gallatin County, Montana, do hereby agree, and by these presents guarantee that we will by good and sufficient instrument, convey to said Gallatin County, the necessary right of way through any and all lands owned by us along the line of the proposed road as petitioned for, and on the line or route as definitely determined by the Board of County Commissioners of said County in accordance with the examination and report of the viewers therefor, appointed by said Board, for the sums of not to exceed the amounts set opposite our respective signatures below; the said sums to be received by us as compensation in full for said right of way, and any damage that may be done us, or to our lands in any manner, by reason of such road crossing any of our said lands.

Provided, however, that no transfer shall be required or demanded of us, as hereinabove provided, prior to the opening of the said proposed road to the public, throughout its full length, and upon the lines as definitely determined upon by said Board of County Commissioners, in the manner as hereinbefore provided.

Name	Land Owned by Same to be Crossed by Proposed Road				Total Amount Proposed to be Charged for	
	Description	Sec.	Twp.	Range	Right of Way	Damages
<i>Geo. C. Cook</i>	<i>About on line between Sec 29 & 30</i>	<i>13</i>	<i>1E</i>		<i>Indemnity</i>	<i>Remedy</i>
<i>Wife</i>					<i>Indemnity</i>	<i>Remedy</i>
<i>J. O. Cooper</i>	<i>Apart on Sec betw 29 & 30 in north end and draw at south end</i>				<i>settled by arbitration</i>	

Chapter 72, Thirteenth Session 1913, Sections 1-2-18

CHAPTER IV

Section 1. Any ten, or a majority, of the free holders of a road district, taxable therein for road purposes, may petition in writing, the Board of County Commissioners to, establish, change or discontinue any common highway therein. When such a highway is petitioned for upon the dividing line between two counties, the same course must be pursued as in other cases, except that a copy of the petition must be presented

to the Board of County Commissioners of each County, who may appoint viewers to act jointly and the viewers so appointed must report their findings to both Boards.

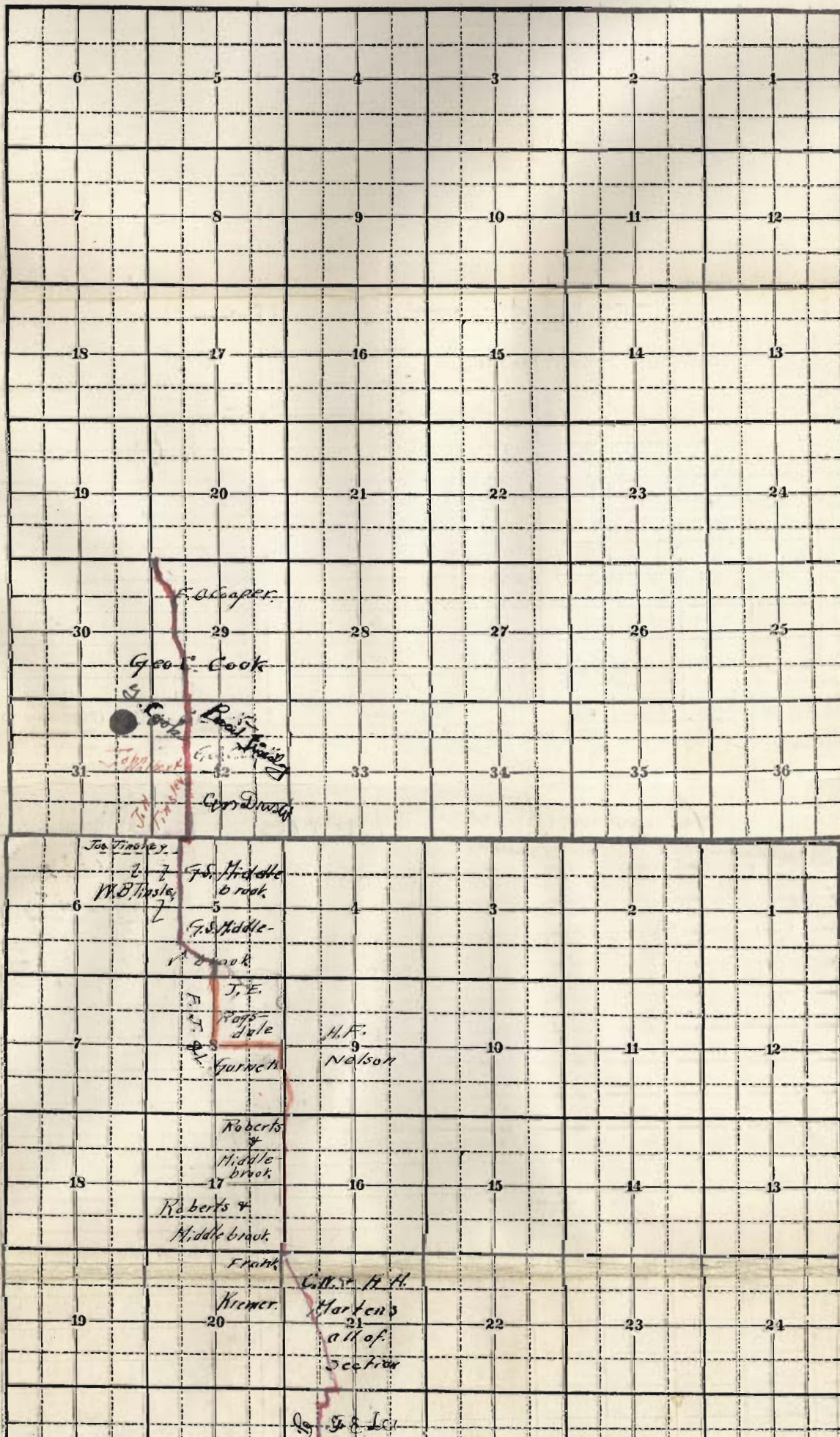
Section 2. The petition must be set forth and describe particularly the highways to be abandoned, discontinued, altered or constructed, and if the same is to be altered, laid-out or constructed, the general route thereof, over what lands, who are owners thereof, whether

such of them as can be found consent thereto, and if not the probable cost of the right-of-way, where consent is not had, the necessity for, and advantage of the proposed road.

Section 18. Highways must be laid out and opened when practicable or upon subdivision or section lines, Provided, however, that the section shall not be construed to prevent roads being laid out on diagonal lines when public purposes shall be best subserved thereby.

Plat of Proposed Road

Township No. 1N Range No. 1E



True Meridian

No. 455

PETITION FOR ROAD

Principle Petitioner *John E. Gannett*

Filed this *7th* day of *July*, 19*15*

By *J. E. Gannett*
County Clerk and Recorder
Deputy

Viewers

Appointed 19.....

To meet 19.....

At

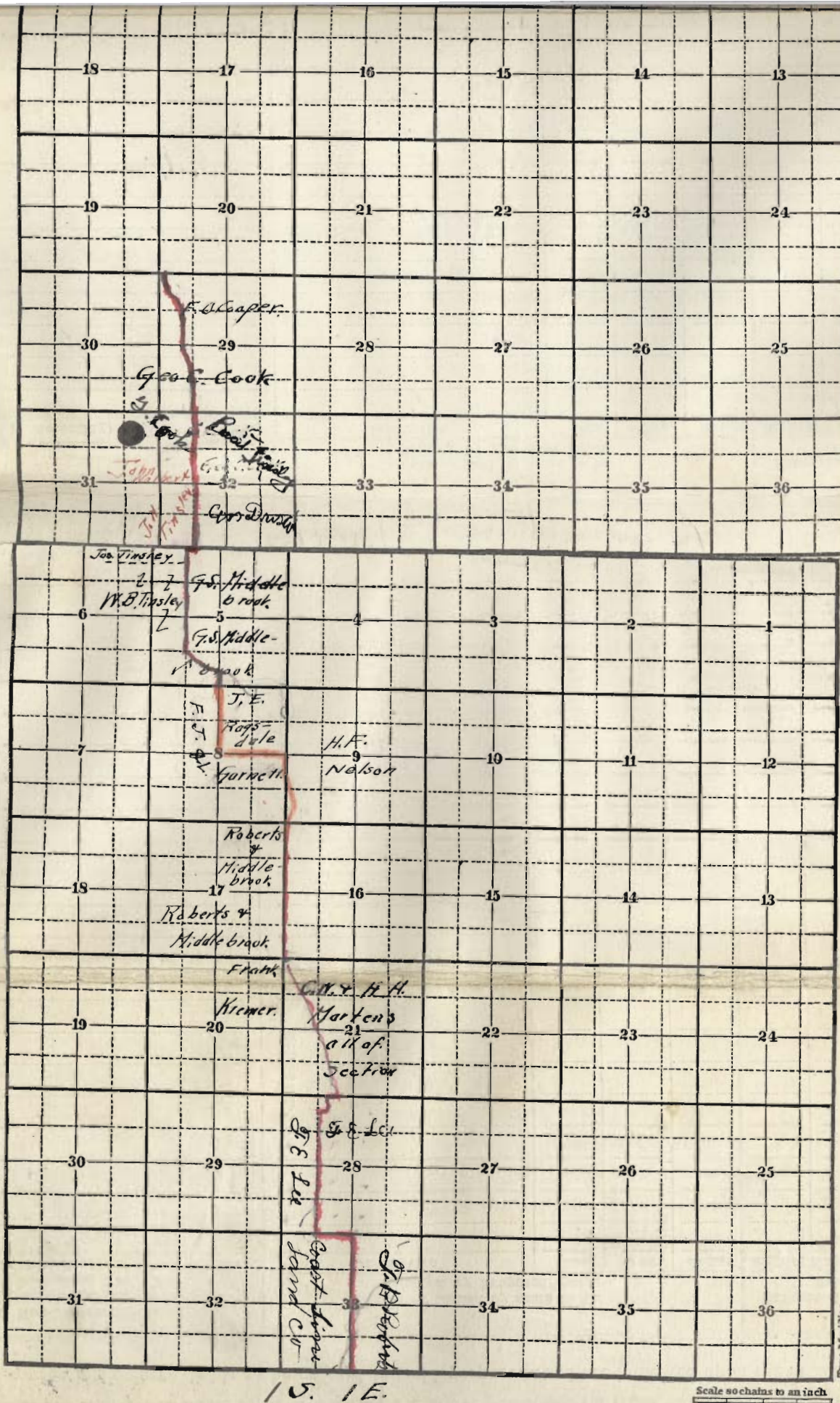
On

Report of Viewers

Filed

Action by the Board

Road Dist. No. *11*



15. 1E.

Scale so that an inch = 20 40 60 80

True Meridian

True Meridian